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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In re Application of:

LIBERTY PRODUCTIONS,  
A LIMITED PARTNERSHIP  
(Assignor)

SAGA COMMUNICATIONS OF  
NORTH CAROLINA, L.L.C.  
(Assignee)

For Assignment of  
License of  
Station WOXL-FM

and

LIBERTY PRODUCTIONS,  
A LIMITED PARTNERSHIP

For Construction Permit  
for a New FM Station

For License to Cover  
for Station WOXL-FM

Facility No. 37242

Biltmore Forest,  
North Carolina

To: The Secretary

Attention: Chief, Media Bureau

✓ File No. BALH-20040116ACT

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Federal Communications Commission  
Office of Secretary

MM Docket No. 88-577

File No. BPH-870831MI

File No. BLH-20020220AAL

CONSOLIDATED REPLY TO OPPOSITIONS

Respectfully submitted,

WILLSYR COMMUNICATIONS, LIMITED PARTNERSHIP

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July 12, 2006

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### CONSOLIDATED REPLY TO OPPOSITIONS

Willsyr Communications, Limited Partnership ("Willsyr"), by its counsel, pursuant to 47 CFR 1.4 (g) and 1.45 (c), submits this consolidated reply to the "Opposition to Motion to Strike," filed by Liberty Productions, a Limited Partnership ("Liberty") on July 5, 2006, and the "Opposition to Motion to Strike," jointly filed by Saga Communications of North Carolina, LLC ("Saga") and Asheville Radio Partners, LLC ("ARP") also on July 5, 2006. In reply, Willsyr submits the following comments.

#### Liberty's Opposition

Liberty, in its pleading on May 23, 2006, suggested without any support, that Willsyr's motive in challenging its grant is the "desire to extract greenmail." In its opposition to Willsyr's motion to strike, Liberty failed to offer any evidence that Willsyr has engaged in an attempt to "extract greenmail."

Instead of supporting its allegations of "greenmail" by Willsyr, Liberty changes its story to assert that Willsyr's challenge to its grant before the Commission was done in "bad faith." But, according to Liberty, this is not a matter for the Commission to address, rather it is to be addressed by the North Carolina courts in its pending "defamation" suit against Willsyr.

Liberty's opposition demonstrates that yet again is it "blowing smoke" at the Commission. In order to divert attention from its 19 years of ongoing deceit and repeated rule violations, Liberty makes unfounded accusations against Willsyr of "greemail" and "bad faith" that it cannot back up in any way.

Moreover, contrary to the assertion of Liberty, the Commission has sole jurisdiction to determine whether pleadings filed before it were done in "bad faith." The North Carolina courts have no jurisdiction over this matter. If Liberty believes that Willsyr's challenge to its grant before the Commission was done in "bad faith," it must ask the Commission to take action.

It is also telling that in over one year since filing its "defamation" suit against Willsyr in the North Carolina courts, Liberty has done nothing to pursue its claims. Its only action has been to seek delays in Willsyr's request to depose Valerie Klemmer, the general partner of Liberty. Yet again, Liberty has been "blowing smoke."

#### Joint ARP/Saga Opposition

ARP and Saga, in their joint pleading on May 23, 2006, contended that Willsyr violated 47 CFR 1.52 by presenting evidence of them acting in concert with Liberty's general partner in state court to prevent David T. Murray from publicly disclosing damaging information about Liberty's wrongdoing (which would then be available to the Commission).

In their joint opposition, ARP and Saga fail to deny that they acted in concert with Liberty's general partner in state court to keep Murray muzzled and from informing the Commission of Liberty's 19 years of ongoing deceit and rule violations. Instead, ARP and Saga state that they "might at some future time choose to seek sanctions against Willsyr and/or its counsel"

because Willsyr brought the matter of their complicity with Liberty to the attention of the Commission.

Threats to seek sanctions against an opponent constitute harassment and disqualifying conduct by ARP and Saga. If they believe that Willsyr violated 47 CFR 1.52, a request for Commission action must be made. Having declined to do so, ARP and Saga demonstrate that they are "blowing smoke."

The litigation strategy of Liberty, ARP, and Saga in the state court proceeding by Murray has been to attempt to keep his evidence of disqualifying misconduct by Liberty before the Commission from being publicly disclosed. Their litigation strategy in this Commission proceeding has been to harass and intimidate Willsyr with threats of sanctions and state court suits in the hope that it will fold up and go away. The Commission should not be fooled by their tactics.

#### Conclusions

WHEREFORE, Willsyr requests that its motion to strike be granted.

Respectfully submitted,

WILLSYR COMMUNICATIONS,  
LIMITED PARTNERSHIP

By: 

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July 12, 2006

CERTIFICATE OF SERVICE

I, Stephen T. Yelverton, an attorney licensed to practice in the District of Columbia, do hereby certify that on this 12th day of July, 2006, I have caused to be hand-delivered or mailed, U.S. Mail, first-class, postage prepaid, a copy of the foregoing "Consolidated Reply to Oppositions" to the following:

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